

# **Chevy Chase Village Board of Managers**

## **April 9, 2007**

### **BOARD OF MANAGERS**

Douglas B. Kamerow, Chair	Present
David L. Winstead, Vice Chair	Present
Susie Eig, Secretary	Present
Gail S. Feldman, Treasurer	Present
Betsy Stephens, Assistant Treasurer	Present
Peter M. Yeo, Board Member	Absent
Robert L. Jones, Board Member	Absent

### **STAFF**

David R. Podolsky, Legal Counsel	Present
Ronald M. Bolt, Assistant Legal Counsel	Present
Geoffrey B. Biddle, Village Manager	Present
Roy A. Gordon, Police Chief	Present
Michael W. Younes, Administrative Assistant	Present

Dr. Douglas B. Kamerow, Chair of the Chevy Chase Village Board of Managers, called the meeting to order at 7:31 p.m. Mr. Winstead arrived at 7:35 p.m.

### **Approval of Minutes from the March 12, 2007 Board Meeting (Regular and Executive Sessions)**

Ms. Eig submitted changes to the minutes prior to the meeting.

**Ms. Eig made a motion to approve the amended minutes of the March 12, 2007 Board Meeting (Regular and Executive Sessions) as amended. Ms. Stephens seconded the motion. Dr. Kamerow, Ms. Eig, Ms. Feldman, and Ms. Stephens voted in favor of the motion. The motion passed.**

### **Treasurer's Report**

The Treasurer's report was distributed to the Board prior to the meeting. Discussion followed.

### **Committee Reports**

#### **Building Facilities Commission**

Mary Anne Tuohey, Chair of the Building Facilities Commission, stated that the Commission met with Mr. Biddle and Chief of Police Gordon to discuss parking around the Village Hall. Ms. Tuohey stated that no recommendations have been made and that the Commission and Police department will continue to monitor parking around the Village Hall over the next couple of months. Ms. Tuohey outlined upcoming events to be held in the Village Hall. The Committee on Children, Youth and Families will be holding a babysitters safety course on Sunday, April 22 at 11:00 a.m. The Committee on Children, Youth and Families will also be hosting the new resident social prior to the Annual meeting on Monday, April 16 at 6:30 p.m.

## **Budget Committee**

Dr. Kamerow thanked the members of the Budget Committee, Samuel A. Lawrence, Gail Feldman, Brandon Fried, Michael C. Gelman, Lawrence C. Heilman, Robert L. Jones, Angela A. Lancaster, and Emily B. Miller, for their work in preparing the budget for the upcoming fiscal year.

Samuel Lawrence, Chair of the Budget Committee, stated that the proposed budget now has surpassed the \$4 million level in overall expenses. Mr. Lawrence stated that one-half of the budget is supported by the allocation of State and County income taxes to the Village.

Dr. Kamerow stated that the increases in expenses are attributed to two (2) new positions on the Village staff, increased tree care programs and legal costs. Ms. Feldman added that in recent years, each budget projected a small deficit at fiscal year's end; yet, for a variety of reasons in each of those years the Village has ended the fiscal year with a small surplus.

Mr. Lawrence suggested that the monies collected by the photo speed enforcement program be deposited into a separate account. The Board agreed.

Dr. Kamerow and Mr. Winstead suggested that the Village contact the State Attorney General's office to obtain guidance on which projects monies collected by the photo speed enforcement program may be used.

Margaret Cook of 5410 Center Street asked what amount in the proposed budget is earmarked for charitable contributions. Mr. Lawrence responded that \$25,000 is included for community relations each year.

## **Old Business**

### **EDAW - Connecticut Avenue Project Update**

Mr. Biddle introduced David Bennett, Senior Associate with the landscape architect firm *EDAW*. Mr. Bennett explained that over the past six (6) months *EDAW* representatives have been working with the Village and the members of the Connecticut Avenue committees to develop a comprehensive revitalization plan for the nine (9)-block stretch of Connecticut Avenue north of Chevy Chase Circle.

Mr. Bennett outlined key elements in the current design:

- All planting and landscaping will be within the state controlled thirty foot (30') right of way on either side of Connecticut Avenue between Chevy Chase Circle (the Circle) and Bradley Lane.
- It respects history in a forward-looking way, retaining as much as possible of the original Nathan Barrett landscape design, which is framed & hung in the lobby of the Village Hall.
- It develops a contemporary interpretation of the episodic nature of Mr. Barrett's plan. For example, the double rows of Lindens in the first block north of the Circle will eventually change from being lined up like soldiers to being planted in diagonal lines to increase visibility for pedestrians and vehicles, and to increase the light and air circulation around the trees.

- It incorporates contemporary understanding of safety concerns to improve safety for pedestrian and vehicular traffic.
- It highlights the importance of the Circle as a gateway to Maryland, and as it moves from south to north and from urban to suburban, the design goes from more to less complex. For example, double sidewalks are shown in the original plan from the Circle to the Village Hall, which then change to single walkways from the Village Hall north to Bradley and. Double rows of trees change to single rows.
- Each "episode" will have a unique aspect to its design. For example, the Newlands Park design will emphasize the unusual topography of that area by treating Connecticut Avenue almost as a bridge across a little ravine. As another example, the intersection of Connecticut Avenue and East & West Melrose Streets will have a circle, a quarter of which will be on each corner, echoing the Circle on a residential scale.
- The design is a master plan, flexible enough to be implemented as funds become available or as existing trees and shrubs have to be replaced due to declining health or hazardous condition.

Ms. Feldman asked about what types of materials have been considered for the sidewalks. Mr. Bennett responded that historically the sidewalks were clay bricks and the intention of the committee is to use a material that is consistent with the historic character of the corridor.

The following changes were submitted by Ms. Eig:

Mr. Biddle described the next steps of the project. The first step will be reviewing graphic materials currently available to support the fundraising campaign to determine if additional graphics are needed. The second will be making decisions on specific materials and design details in the plan. The third will be bringing committee decisions to the Board for approval.

### **CTC - Communications Conduits Project**

Principal Engineers David Randolph and Matt DeHaven with *Columbia Telecommunications Corporation* (CTC) were in attendance to present a preliminary report on possible installation of a communications and streetlights conduit system within the Village. A summary of the presentation follows:

- The conduit system would be able to serve many different applications in addition to the Village, *Verizon*, RCN, and potentially *Comcast*.
- The proposed conduit system would have the capacity to provide power for new pedestrian friendly street lamps, as well as emergency communication systems connected to each home and public space in Chevy Chase Village.
- The Village has met with representatives from *Verizon*, RCN, and *Comcast*. *Verizon* and RCN both stated that they are open to the plan but will need more information as the plan evolves. Representatives from *Comcast* stated that currently they do not feel there is a need to make any changes or upgrades to their existing network.
- The proposed conduit system would consist of six (6) separate conduits, four (4) for the Village and communication utilities, one conduit for streetlight power and one spare conduit.

- The proposed conduit system would also include “vaults.” The “vaults” would be approximately sixty-eight inches (68”) long, forty-eight inches (48”) wide, and thirty inches (30”) deep. They would be divided equally into four (4) seventeen inch (17”) wide compartments where the utility companies would place their switching equipment and where individual home service would begin. Each “vault” would have the capacity to serve four (4) homes.
- All “vaults” would be located in the sidewalk wherever possible. One possible solution would be to install the “vaults” completely underneath the sidewalks. Another option would be to have custom-made “vault” covers matching sidewalk paving materials and patterns.
- All homes would receive service through conduit which would be directionally bored. Directional boring is supposed to minimize disruptions in the conduit’s path.
- Main trenches for the proposed conduit system would be located in the streets approximately one foot from the curb edge. The trenches would be approximately twenty-five inches (25”) deep and twenty-four inches (24”) wide.
- The estimated total cost for the entire proposed conduit system is \$6.13 million. That total breaks down to 71,000 linear feet of open trenching at \$79 per foot (\$5,630,000) plus 720 home service drops estimated \$687 each (\$500,000).

Dr. Kamerow asked what type of rental rates the Village could charge to utility companies. Mr. Randolph stated that currently an initial \$250,000 reimbursement from each company could be collected in lieu of a monthly rental fee for a predetermined period. Mr. Biddle stated that both *Verizon* and *RCN* have indicated that when the conduit system is installed, they would take possession of their specific conduit and would be responsible for all maintenance on the conduit and wires in place of a monthly fee.

Ms. Feldman asked if this type of installation has been done in other areas. Mr. DeHaven stated that these systems have been installed in other areas and that they have been very successful.

Mr. Biddle stated that the next step would be to review the conceptual plan presented tonight with the various communication providers.

### **Decisions on Previous Appeals**

None.

### **Appeals**

**A-5205: Mr. and Mrs. Marc D. Weller, 26 Oxford Street—Demolish an existing shed located in the southeast corner of the property to accommodate a proposed garage.** Mr. Schneck, architect for Mr. and Mrs. Weller, was in attendance and presented the request on his client’s behalf. Discussion followed.

**Ms. Eig made a motion to direct Counsel to draft a decision approving the demolition of an existing shed located in the southeast corner of the property to accommodate a proposed garage. Ms. Stephens seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, and Ms. Stephens voted in favor of the motion. The motion passed.** Mr. Schneck asked for the decision to be expedited.

**A-5219: Mr. Dane H. Butswinkas and Ms. Megan E. Rupp, 3 Newlands Street—Install a driveway apron in brick pavers, a portion of which will have a maximum width of twenty-two feet and four inches (22'-4") and length of thirty feet and six inches (30'-6") on private property in front of an existing two-car garage.** Ms. Fendrick, landscape architect for Mr. Butswinkas and Ms. Rupp, was in attendance and presented the request on her client's behalf.

Dr. Kamerow asked why there was a need to increase the area of the driveway. Ms. Fendrick stated that currently Mr. Butswinkas and Ms. Rupp do not have the space to turn around in their driveway because they share a portion of it with the residents at 1 Newlands Street.

Robert Jones of 1 Newlands Street submitted a statement prior to the meeting in support of the appeal. Discussion followed.

**Ms. Eig made a motion to direct Counsel to draft a decision approving the installation of a driveway apron in brick pavers, a portion of which will have a maximum width of twenty-two feet and four inches (22'-4") and length of thirty feet and six inches (30'-6") on private property in front of an existing two-car garage. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, and Ms. Stephens voted in favor of the motion. The motion passed.**

#### **New Business**

None.

#### **Chairman's Report**

None.

#### **Manager's Report**

##### **Supplemental Appropriations**

##### **Professional Services – Legal Counsel**

Mr. Biddle stated that in the last three months there has been a significant draw on legal resources to address building code issues, selection of a professional consultant on building regulation and the development and passage of a moratorium on large building projects. Mr. Biddle requested the Board authorize a supplemental appropriation of \$83,500 from reserves to be allocated to Administration – Operations.

**The Board unanimously approved the allocation of \$83,500 from reserves to be allocated to Administration – Operations.**

##### **Professional Services – *Winter & Company* and CTC**

Mr. Biddle stated that the FY 2008 budget included an anticipated current year supplemental appropriations in increments of \$30,000 for *Winter and Company* and \$20,000 for CTC. The *Winter & Company* contract approved at the regular meeting of the Board on March 12 totals \$34,190 with the inclusion of a Village-wide resident survey and the CTC contract totals \$19,250.

Mr. Biddle requested the Board authorize a supplemental appropriation of \$53,440 from reserves allocated to Capital Projects – Departments.

**The Board unanimously approved the allocation of \$53,400 from reserves to be allocated to Capital Projects – Departments.**

#### **Staff Assessment**

Mr. Biddle stated that there is money in the current budget under capital projects for a staff and organizational assessment survey. The original solicitation did not yield a good response. Mr. Biddle stated that he would like to rework and re-circulate the RFP.

Ms. Stephens asked when the last time a survey like this was undertaken. Mr. Biddle stated that a survey like the one proposed has never been done.

#### **Audit**

Mr. Biddle stated that he received notification from *Clifton Gunderson*, the Village's audit firm, that they wish to increase the fee for the FY 2007 audit from the proposed \$14,700 to \$17,500. Mr. Biddle stated that last year's experience with *Clifton Gunderson*, was workable but less than ideal due to personnel changes.

Mr. Biddle stated that he had discussed retaining *Stegman and Company* to perform the FY 2007 audit with the audit committee members; all committee members stated that they had no objections.

**Ms. Stephens made a motion to authorize the Village Manager to proceed with a sole source procurement and retain *Stegman and Company* to provide audit services in the current fiscal year. Ms. Feldman seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, and Ms. Stephens voted in favor of the motion. The motion passed.**

#### **Public Works Truck**

Mr. Biddle stated that the FY 2008 proposed budget includes a planned replacement for the oldest Public Works truck at an estimated price of \$67,000 but the final price under Maryland State contract came in at \$82,512. Mr. Biddle requested that the Board include this price in the proposed FY 2008 budget set to be approved at the Annual Meeting. The Board agreed to the inclusion.

#### **Building Regulation Review**

The Board asked why the times identified for the "open houses" and "community workshops" were not scheduled to accommodate those who work and or who travel during the week. The Board asked Mr. Biddle to work with *Winter and Company* to schedule additional dates and times for "open houses" and "community workshops", preferably in the evening or during the weekend. Ms. Eig did not think they were necessary.

#### **Police Report**

The monthly Police Report was distributed to the Board prior to the meeting.

Ms. Feldman asked if the Chief had a year-to-year comparison of all incidents. Chief Gordon distributed copies of an eight-year comparison of all incidents which he had prepared, coincidentally, at the request of Ms. Eig. Discussion followed.

**Ms. Stephens made a motion to adjourn the open meeting and meet in Executive Session pursuant to Maryland Code, State Government Article, section 10-508 (A) (1) to discuss a personnel matter. Ms. Eig seconded the motion. Dr. Kamerow, Mr. Winstead, Ms. Eig, Ms. Feldman, and Ms. Stephens voted in favor of the motion. The motion passed. The open meeting adjourned at 10:11 p.m.**

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Secretary, Chevy Chase Village Board of Managers

*Final.*